

**FLATHEAD COUNTY BOARD OF ADJUSTMENT  
MINUTES OF THE MEETING  
DECEMBER 6, 2011**

**CALL TO  
ORDER**

A meeting of the Flathead County Board of Adjustment was called to order at approximately 6:00 p.m. Board members present were Gina Klempel, Mark Hash, Gary Krueger and Terry Kramer. Scott Hollinger had an excused absence. Alex Hogle and BJ Grieve represented the Flathead County Planning & Zoning Office.

There were 3 people in the audience.

**APPROVAL OF  
MINUTES**

Kramer motioned and Klempel seconded to approve the November 1, 2011 minutes. The motion passed unanimously.

**PUBLIC  
COMMENT  
(not related to  
agenda items)**

None.

**DOUGLAS  
WHITE  
(FCU 11-07)**

A request by Douglas White, for a Conditional Use Permit to expand an existing business to include a casino/liquor store within the Bigfork, B-3 (Community Business) Zoning District. The property is located at 7505 MT Highway 35.

**STAFF REPORT**

Hogle reviewed Staff Report FCU 11-07 for the Board.

**BOARD  
QUESTIONS**

Kramer and Hogle discussed the distance from the front entrance of the building in the application to the church located on Highway 83 and which regulations and statutes addressed the issue.

**APPLICANT  
PRESENTATION**

Alison Wallen represented the applicant and explained the history of the proposal and what had been done so far to obtain approval from the state.

**BOARD  
QUESTIONS**

Klempel asked if the applicant had heard from the Bigfork Fire Department.

Wallen said there were no issues concerning safety.

**PUBLIC  
COMMENT**

None.

**BOARD  
DISCUSSION**

Krueger and Hogle discussed if the state would determine how much was allowed for footage and what sign offs from local government might be required.

Hash asked if the applicant needed to amend the information on the application to the state for the liquor license.

Hogle said amending the information would be appropriate and Wallen said she would amend the information.

Krueger, Wallen, Hash, Hogle and Grieve discussed the current hours of operation and activities, BLUAC's discussion on the issue, state law and restrictive conditions concerning hours of operation, and the board's role concerning conditions regarding hours of operation.

Krueger asked for clarification regarding a motion which might be appropriate at this time in the discussion.

Hash asked Hogle for clarification regarding hours of operation for the tavern vs. the gasoline pumps being open for 24 hours.

Klempel stated condition #1 should be amended to state multiple principal uses.

Grieve and Hogle clarified how the condition reflected the current situation with the property.

Kramer stated he had no issues with the proposal.

Hash and the applicant discussed the application for the state liquor license and amending it.

Krueger spoke about the hours of operation and what the state required.

The board and applicant discussed the state requirements for hours of operation.

**MAIN MOTION  
TO ADOPT  
F.O.F.  
(FCU 11-07)**

Kramer made a motion seconded by Hash to adopt staff report FCU 11-07 as findings-of-fact.

**BOARD  
DISCUSSION**

None.

**ROLL CALL TO  
ADOPT F.O.F.  
(FCU 11-07)**

On a roll call vote the motion passed unanimously.

**MAIN MOTION  
TO AMEND  
CONDITION #12  
AND APPROVE**

Hash motioned and Kramer seconded to amend Condition #12 to read:

12. Hours of operation for the casino/tavern shall be the same as allowed by Montana state law.

And approve.

**BOARD  
DISCUSSION**

Klempel asked for clarification on the wording of the condition.

**ROLL CALL TO  
AMEND  
CONDITION #12  
AND APPROVE**

On a roll call vote the motion passed unanimously.

**OLD BUSINESS**

None.

**NEW BUSINESS**

Hash spoke about a former board member David VanDort being in the hospital and not doing well.

**ADJOURNMENT**

The meeting was adjourned at approximately 6:40 pm. on a motion by Hash. The next meeting will be held at 6:00 p.m. on January 3, 2011.

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/s/Scott Hollinger, Chairman  
Secretary

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/s/Donna Valade, Recording

*APPROVED AS SUBMITTED: 1/3/12*